

UNITED STATES COURT OF APPEALS
FOR THE NINTH CIRCUIT

FILED

OCT 02 2012

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

KEVIN EMBRY, individually and on
behalf of himself, the general public and
those similarly situated,

Plaintiff - Appellee,

CHRISTOPHER BANDAS,

Objector - Appellant,

v.

ACER AMERICA CORPORATION, a
California corporation,

Defendant - Appellee.

No. 12-15555

D.C. No. 5:09-cv-01808-JW
U.S. District Court for Northern
California, San Jose

ORDER

The motion filed by the appellant on September 28, 2012 for voluntary
dismissal of this appeal is granted. This appeal is dismissed. See Fed. R. App. P.
42(b); 9th Cir. R. 27-9.1.

This order served on the district court shall constitute the mandate of this
court.

FOR THE COURT:
Molly C. Dwyer
Clerk of Court

Dru E. Van Dam
Deputy Clerk